

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DANIELLE KITCHIN and DANA B. KITCHIN, Co-Personal Representatives and heirs of the ESTATE OF DANA A. KITCHIN, Plaintiffs, v. RANDALL LIBERTY, et al.	Docket No. 1:18-cv-00356-JDL
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PLAINTIFFS' STATUS REPORT

Plaintiff's Danielle Kitchin and Dana B. Kitchin, on behalf of the Estate of Dana A. Kitchin (*collectively*, "Plaintiffs") file this status report to provide the Court with an update on serving Co-Defendant, Amanda L. Paine.

1. On October 30, 2019, the Court held a telephonic status conference to discuss Plaintiffs inability to serve Co-Defendant, Amanda L. Paine. [ECF No. 78]. The deadline to serve Mrs. Paine was October 30, 2019. Attorney John Wall, who was retained to represent Mrs. Paine, had not been able to reach her and was told she was deployed overseas.
2. On October 31, 2019, the Court issued an Order, that extended the time for Plaintiffs to serve Mrs. Paine and requested the Plaintiffs file a status report regarding their efforts to serve Mrs. Paine no later than December 31, 2019 [ECF No. 79].
3. Following the telephonic status conference, undersigned counsel was able to ascertain additional contact information for Mrs. Paine and shared the same with Attorney Wall. Attorney Wall agreed to reach out to Mrs. Paine before Plaintiffs attempted to formally serve Mrs. Paine by sheriff.

4. On December 9, 2019, Attorney Wall emailed undersigned counsel and informed them that he has spoken with Mrs. Paine and was authorized to waive service on her behalf.
5. On December 9, 2019, following Attorney Wall's email, Attorney John Burke emailed to Attorney Wall a copy of the executed summons for Mrs. Paine, a copy of the Second Amended Complaint and a Waiver of Service form.
6. As of today's date, undersigned council has not received an executed Waiver of Service from Attorney Wall. Plaintiffs will promptly file the Waiver of Service as soon as it is received by undersigned council.

Dated this 12th day of December 2019 in Portland, Maine.

Respectfully Submitted,

/s/ Timothy E. Zerillo, Esq.
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Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2019, I electronically filed the PLAINTIFFS' STATUS REPORT with the Clerk of Court using the CM/ECF system. Notice of this filing has been sent by operation of the Court's CM/ECF system to all parties that have appeared in this matter. All parties that have not appeared in this matter will be served in accordance with the Federal Rules of Civil Procedure.

Respectfully Submitted,

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